

United States District Court

FOR THE
NORTHERN DISTRICT OF CALIFORNIA

VENUE: SAN FRANCISCO

FILED
APR 29 2008
RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

E-filing

CR 08

v.

0276

GILBERTO NARANJO AVILA,
a/k/a/ Gilberto Naranjo,
a/k/a/ Gilberto Avalos,

MHP

DEFENDANT(S).

INDICTMENT

VIOLATION: 8 U.S.C. § 1326 - Illegal Reentry Following
Deportation

A true bill.

Angela R. [Signature]
Foreman

Filed in open court this 24th day of

APRIL 2008
Wing, Hon
Clerk

Bail, \$ NO PROBES

[Signature]

UK08-076 MHP

AO 257 (Rev. 6/78)

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURTBY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☐ SUPERSEDING**OFFENSE CHARGED**Title 8 U.S.C., Section 1326 - Illegal Reentry by
an Alien After Deportation (Class C Felony)

- ☐
- Petty
-
- ☐
- Minor
-
- ☐
- Misdemeanor
-
- ☒
- Felony

PENALTY:

Maximum Prison Term of 20 Years;
 Maximum Fine \$250,000;
 Maximum Term of Supervised Release of 3 Years;
 Mandatory Special Assessment of \$100.

E-filing**PROCEEDING**

Name of Complainant Agency, or Person (& Title, if any)

Department of Homeland Security/Immigration Customs Enforcement

☐ person is awaiting trial in another Federal or State
Court, give name of court☐ this person/proceeding is transferred from another
district per (circle one) FRCrP 20, 21 or 40. Show
District
☐ this is a reprosecution of
 charges previously dismissed
 which were dismissed on
 motion of:
☐ U.S. Att'y ☐ Defense☐ this prosecution relates to a
pending case involving this same
defendant☒ prior proceedings or appearance(s)
before U.S. Magistrate regarding
this defendant were recorded underSHOW
DOCKET NO.MAGISTRATE
CASE NO.

08-70231

Name and Office of Person
Furnishing Information on
THIS FORM**JOSEPH P. RUSSONIELLO**☒ U.S. Att'y ☐ Other U.S. AgencyName of Asst. U.S. Att'y
(if assigned)

TAREK J. HELOU

Name of District Court, and/or Judge/Magistrate Location
NORTHERN DISTRICT OF CALIFORNIA**DEFENDANT - U.S.**

GILBERTO NARANJO AVILA

DISTRICT COURT NUMBER

CR 08**0276****DEFENDANT****MHP****IS NOT IN CUSTODY**

- 1) ☐ Has not been arrested, pending outcome this proceeding.
If not detained give date any prior summons
was served on above charges
- 2) ☐ Is a Fugitive
- 3) ☐ Is on Bail or Release from (show District)

IS IN CUSTODY

- 4) ☒ On this charge
- 5) ☐ On another conviction
- 6) ☐ Awaiting trial on other charges } ☐ Fed'l ☐ State
- If answer to (6) is "Yes", show name of institution

Has detainer
been filed?☐ Yes
☐ NoIf "Yes"
give date
filed**DATE OF
ARREST**

Month/Day/Year

4/15/2008

Or... if Arresting Agency & Warrant were not

Month/Day/Year

**DATE TRANSFERRED
TO U.S. CUSTODY**☐ This report amends AO 257 previously submitted**ADDITIONAL INFORMATION OR COMMENTS****PROCESS:**☐ SUMMONS ☒ NO PROCESS*☐ WARRANT Bail Amount: _____

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address: _____

*Where defendant previously apprehended on complaint, no new summons
or warrant needed, since Magistrate has scheduled arraignment

Date/Time: _____

Before Judge: _____

Comments: _____

JOSEPH P. RUSSONIELLO (CABN 44332)
United States Attorney

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CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

E-filing

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

MHP

UNITED STATES OF AMERICA,

Plaintiff,

v.

GILBERTO NARANJO AVILA,
a/k/a Gilberto Naranjo,
a/k/a Gilberto Avalos,

Defendant.

CR 08

0276

No.

VIOLATION: 8 U.S.C. § 1326 – Illegal
Reentry Following Deportation

SAN FRANCISCO VENUE

INDICTMENT

The Grand Jury charges:

On or about August 10, 2000 and January 28, 2003, the defendant,

GILBERTO NARANJO AVILA,
a/k/a Gilberto Naranjo,
a/k/a Gilberto Avalos,

an alien, was excluded, deported and removed from the United States, and knowingly and
voluntarily reentered the United States and, thereafter, on or about April 9, 2008, was found in the
Northern District of California, the Attorney General of the United States and the Secretary for

INDICTMENT

1 Homeland Security not having expressly consented to a re-application by the defendant for
2 admission into the United States, in violation of Title 8, United States Code, Section 1326.

3
4 DATED:

A TRUE BILL.

5
6
7 JOSEPH P. RUSSONIELLO
United States Attorney


FOREPERSON

8
9
10 GREGG W. LOWDER
Chief, Major Crimes Section

11
12 (Approved as to form:


AUSA HELOU